

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AGUSTIN CAMANO ANZUREZ, :
Plaintiff, : ORDER
: 20 Civ. 3828 (JMF) (GWG)
-v.- :
LA UNICA CARIDAD INC., et al., :
Defendants. :
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GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

The Court is now conducting an inquest on damages as to the defaulting defendant, La Unica Caridad Inc. (Docket ## 76, 78). It has come to the Court's attention that plaintiff accepted an offer of judgment from the individual defendants, Miguel Yip and Kwok Wood Lee, pursuant to Fed. R. Civ. P. 68, and that judgment was entered against these defendants in the amount of \$22,000. See (Docket # 72). Because the judgment was entered pursuant to an offer of judgment, the Court assumes this judgment has been paid.

In his amended complaint, plaintiff alleges the individual defendants and the defendant corporation were joint employers. (Docket # 30 ¶¶ 26-35). This raises the issue of whether any damages awarded as part of the inquest should be offset by the payment on the judgment. Accordingly, it is hereby ORDERED that, on or before April 9, 2021, plaintiff shall file a supplemental memorandum of law or letter that addresses this issue. If plaintiff is agreeing that there should be such an offset, it need only state as much in a letter.

Dated: April 2, 2021
New York, New York

SO ORDERED.



GABRIEL W. GORENSTEIN
United States Magistrate Judge